

**SHB 2592** - H AMD **986**

By Representative Roberts

ADOPTED 02/10/2012

1 On page 4, line 20, after "postsecondary" strike "or vocational  
2 education program" and insert "academic or postsecondary vocational  
3 education program. The department shall develop and implement rules  
4 regarding youth eligibility requirements"

5  
6 On page 6, beginning on line 9, strike all of sections 3 and 4 and  
7 insert the following:

8 "**Sec. 3.** RCW 74.13.680 and 2011 c 330 s 8 are each amended to  
9 read as follows:

10 (1) Within amounts appropriated for this specific purpose, the  
11 department shall (~~have authority to provide continued foster care or~~  
12 ~~group care to youth ages eighteen to twenty-one years who are:~~

13 ~~— (a) Enrolled in a secondary education program or a secondary~~  
14 ~~education equivalency program;~~

15 ~~— (b) Enrolled and participating in a postsecondary or vocational~~  
16 ~~educational program;~~

17 ~~— (c) Participating in a program or activity designed to promote or~~  
18 ~~remove barriers to employment;~~

19 ~~— (d) Engaged in employment for eighty hours or more per month; or~~

20 ~~— (e) Incapable of engaging in any of the activities described in~~  
21 ~~(a) through (d) of this subsection due to a medical condition that is~~  
22 ~~supported by regularly updated information.~~

23 ~~— (2) A youth who remains eligible for placement services or~~  
24 ~~benefits under this section pursuant to department rules may, within~~  
25 ~~amounts appropriated for this specific purpose, continue to receive~~  
26 ~~placement services and benefits until the youth reaches his or her~~  
27 ~~twenty-first birthday.)) continue to operate the state-funded foster~~

1 care to twenty-one program for three years after the effective date of  
2 this section, at which point the program shall cease to operate.

3 (2) The department shall not have the authority to enroll any new  
4 youth under this program after the effective date of this section, and  
5 shall only serve eligible youth enrolled prior to that date.

6 (3) The purpose of the foster care to twenty-one program is to  
7 serve youth ages eighteen to twenty-one who are enrolled and  
8 participating in a postsecondary academic or postsecondary vocational  
9 program.

10 (4) A youth participating in this program may, within amounts  
11 appropriated for this specific purpose, continue to receive placement  
12 services until the youth reaches his or her twenty-first birthday or  
13 is no longer enrolled in and participating in a postsecondary program,  
14 whichever is earlier."

15  
16 **Sec. 4.** RCW 13.34.267 and 2011 c 330 s 7 are each amended to read  
17 as follows:

18 (1) In order to facilitate the delivery of extended foster care  
19 services, the court shall postpone for six months the dismissal of a  
20 dependency proceeding for any child who is a dependent child in foster  
21 care at the age of eighteen years and who, at the time of his or her  
22 eighteenth birthday((7)) is:

23 (a) ((e))Enrolled in a secondary education program or a secondary  
24 education equivalency program((7)); or

25 (b) Enrolled in a postsecondary academic or postsecondary  
26 vocational program, or has applied for and can demonstrate that he  
27 or she intends to timely enroll in a postsecondary academic or  
28 postsecondary vocational program.

29 (2)(a) The six-month postponement under this subsection is  
30 intended to allow a reasonable window of opportunity for an eligible  
31 youth who reaches the age of eighteen to request extended foster care  
32 services from the department or supervising agency. ((At the end of  
33 the six-month period, the court shall dismiss the dependency if the

1 ~~youth has not requested extended foster care services from the~~  
2 ~~department.))~~ The court shall dismiss the dependency if the youth:

3 (i) Has not requested extended foster care services from the  
4 department by the end of the six month period; or

5 (ii) Is no longer eligible for extended foster care services  
6 under RCW 74.13.031(10) at any point during the six month period.

7 (b) Until the youth requests to participate in the extended foster  
8 care program, the department is relieved of any supervisory  
9 responsibility for the youth.

10 ~~((+2))~~ (3) A youth who participates in extended foster care while  
11 completing a secondary education or equivalency program may continue  
12 to receive extended foster care services for the purpose of  
13 participating in a postsecondary academic or postsecondary  
14 vocational education program if, at the time the secondary education  
15 or equivalency program is completed, the youth has applied to and  
16 can demonstrate that he or she intends to timely enroll in a  
17 postsecondary academic or vocational education program. The  
18 dependency shall be dismissed if the youth fails to timely enroll or  
19 continue in the postsecondary program, or reaches age twenty-one,  
20 whichever is earlier.

21 (4) A youth receiving extended foster care services is a party to  
22 the dependency proceeding. The youth's parent or guardian shall be  
23 dismissed from the dependency proceeding when the youth reaches the  
24 age of eighteen years.

25 ~~((+3))~~ (5) The court shall order a youth participating in extended  
26 foster care services to be under the placement and care authority of  
27 the department, subject to the youth's continuing agreement to  
28 participate in extended foster care services.

29 ~~((+4))~~ (6) The court shall appoint counsel to represent a youth,  
30 as defined in RCW 13.34.030(2)(b), in dependency proceedings under  
31 this section.

32 ~~((+5))~~ (7) The case plan for and delivery of services to a youth  
33 receiving extended foster care services is subject to the review  
34 requirements set forth in RCW 13.34.138 and 13.34.145, and should be

1 applied in a developmentally appropriate manner, as they relate to  
2 youth age eighteen to twenty-one years. Additionally, the court shall  
3 consider:

4 (a) Whether the youth is safe in his or her placement;

5 (b) Whether the youth continues to be eligible for extended foster  
6 care services;

7 (c) Whether the current placement is developmentally appropriate  
8 for the youth;

9 (d) The youth's development of independent living skills; and

10 (e) The youth's overall progress toward transitioning to full  
11 independence and the projected date for achieving such transition.

12 ~~((+6))~~(8) Prior to the hearing, the youth's attorney shall  
13 indicate whether there are any contested issues and may provide  
14 additional information necessary for the court's review.

15 ~~((+7))~~(9) Upon the request of the youth, or when the youth is no  
16 longer eligible to receive extended foster care services according to  
17 rules adopted by the department, the court shall dismiss the  
18 dependency."

EFFECT: Clarifies that the Department of Social and Health Services (DSHS) is authorized to provide extended foster care services to youth ages 18-21 to participate in a postsecondary academic or postsecondary vocational education program.

Requires the DSHS to develop and implement rules regarding youth eligibility requirements for extended foster care.

Clarifies the DSHS duties regarding the state-funded foster care to 21 program.

Clarifies that the court must postpone a dependency proceeding for a youth in foster care who, upon turning 18 years old, is enrolled in a postsecondary academic or vocational program, or who have applied for and can demonstrate that he or she intends to enroll in a timely manner.

Specifies that the court must dismiss the dependency by the end of the six-month postponement period if the youth: a) has not requested extended foster care services, or b) is no longer eligible to receive foster care services.

Clarifies that the department is relieved of any supervisory

responsibility for the youth during the 6 month dependency dismissal postponement period, until the youth requests to participate in extended foster care.

Provides that under certain circumstances, youth who participate in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster services for the purpose of participating in a postsecondary academic or postsecondary vocational education program.

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